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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2019/2020

UNL1612 – CONTRACT LAW 1

(All Sections/Groups)

21 October 2019

Reading Time: 9.00 a.m. to 9.15 a.m.

(15 Minutes)

Answering Time : 9.15 a.m. to 12.15 p.m.

(3 Hours)

INSTRUCTIONS TO STUDENTS

1. Students will have **fifteen minutes** during which they read the paper and make rough notes ONLY on their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.
2. This Question paper consists of 4 Pages and 4 Questions only.
3. This Question paper consists of 2 sections. Attempt **ONE** question only in **Section A** and all **THREE** questions in **Section B**. All questions carry equal marks and the distribution of the marks for each question is given.
4. Students are allowed to bring into the examination hall CLEAN and ORIGINAL copy of:
 - i. **Contracts Act 1950 (Act 136)**

“Clean” is defined to include no tagging, no annotation either by the publisher or anyone else, and no erased marking. Highlighting and underlining are also prohibited.

5. Please write all your answers in the Answer Booklet provided.

QUESTION 3

Manisha, a nursing student, aged 17 years old and her parents received an invitation to a family gathering at her uncle's house, Mr Rama on 14th February 2018. Mr Rama was planning to introduce Manisha to his son, Dr Anand during the family gathering. Without the knowledge of Manisha, both Mr Rama and Mr Sundra, Manisha's father agreed to marry her and Dr Anand on the following month.

Meanwhile, Manisha was chosen to represent her nursing college to further her study and become a trainer in a private nursing college in India in December 2018. Manisha also received a scholarship from her nursing college. She agreed and signed the Letter of Offer ('the offer') without the knowledge of her parents. On 5th March 2018, Manisha married Dr Anand and they stayed in Kuala Lumpur. When she explained the offer to Dr Anand, he refused to allow her to go to India. She was upset with the decision and regretted marrying Dr Anand.

Advise on the following matters:-

(a) Whether there is any action to be taken by the private nursing college in India against Manisha? (15 marks)

(b) Whether Manisha can resolve her marriage with Dr Anand due to her incapacity to marry? (10 marks)

(Total: 25 marks)

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QUESTION 4

A contract has been finalised between a water sports team (“the team”) from Multimedia University and Fast & Furious Taxis Sdn. Bhd. (FFT). In the contract stated that FFT is to arrange for transportation for the team on 1 April 2019. The team will participate in the International Dragon Boat Festival and they need to go to Johor from Melaka. The team was unaware that FFT taxis are operating without a license. The team has booked a 12 seater van taxi for the trip to Johor and return to Melaka. The total was RM2,500. The team paid a deposit of RM500 to FFT for the trip from Malacca to Johor. The balance of RM2000 to be paid upon their return.

The travelling was unpleasant due to the poorly maintain condition of the van and the driver’s attitude, Mr Dom, who was rude and inconsiderate. Shaw, a member of the team, asked Poh to teach the driver a lesson. Shaw promised to pay Poh RM100 if he would Poh punched the driver’s nose. He did and the driver shouted in pain.

Upon returning from Johor, the team later discovered that FFT was unlicensed, so they refused to pay the balance of RM2000. Later, FFT demanded the balance of RM2000 and informed the team that they would take legal action against them for failure to pay the full balance amount. Further, Mr Dom requested from the team RM100 for the injury that he had suffered at Johor.

Advise the team, FFT and Mr Dom on whether there is any action to be taken by them.

(Total: 25 marks)

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